

REMARKS

Claims 1-23 were pending in the application.

Claims 1-5 have been cancelled.

Claims 24-26 are new.

Claims 6-18 and 23 have been amended.

Claims 6-26 are now pending.

35 U.S.C. 102(b) Rejections

Applicants have cancelled claims 1-5 and added new claims 24-26 in order to more particularly point out and distinctly claim their invention. New claim 24 is a combination of original claims 1 and 2 with a restriction of component (I). In combining claims 1 and 2 into claim 24, Applicants have corrected an original error in claim 2 by changing “ (β-8) at least one compound of the formulae (B-8-a) and (B-8-b)” to (β-8) at least one compound of the formulae (B-8-a) or (B-8-b)”. This change to the alternative is supported on page 16, second paragraph.

A basis for new claims 25 and 26 is seen in the specification on page 20, last line to page 23.

Now, component (I) of the present invention is restricted to two different sterically hindered amines selected from the classes (β-1), (β-2), (β-6), (β-7) and (β-8).

Classes (β-1) and (β-6) relate to triazinic compounds with repeating units (for class (β-6), please note claims 25 and 26), class (β-2) relates to a high molecular weight triazinic compound while classes (β-7) and (β-8) relate to esters or amides with repeating units.

Applicant avers that the classes (β-1), (β-2), (β-6), (β-7) and (β-8) now under consideration are well supported by the present working examples.

Applicant is enclosing a Declaration that shows unexpected results, namely synergistic mixtures of hindered amines of the selected classes in the presence of Mg stearate. Specifically the retained tensile strength and light stability of polypropylene films is significantly improved when the hindered amine combination of the instant invention is combined with Mg stearate.

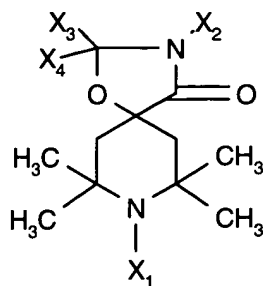
Claims 1-3, 10, 13, 15-16, 18-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by GB 2,354,245 (now issued US 6,545,071) and Claim 1-3, 9-11, 13-16, 18-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by GB 2,316,410 for the reasons of record. These references relate to stabilizer mixtures containing at least one low molecular weight monomeric sterically hindered amine, the structure of which is completely different from the structure of the compounds of restricted present component (I). There is no longer overlap between GB '245 or GB '410 and the present invention claims.

Claims 1-3, 9-11, 13-16, 18-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by GB 2316409. This reference is clearly distinguished from the present invention by the first proviso phrase at the end of new claim 24 (already present in original claim1). Nor does the disclosure suggest a synergistic effect of two sterically hindered amines in the presence of a Zn or Mg compound (present component (II)).

Claims 1-7, 9-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by GB 2293827. This reference does not disclose a synergistic effect of two hindered amines in the presence of a Zn or Mg compound. The enclosed declaration clearly shows unexpected results in making the inventive combination of the instant claims which was not suggested or disclosed within GB '827.

Claims 1-8, 10-14, 16, 18-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by EP0728806A. With most recent amendments, a Si-containing compound of present component (I) is no longer covered under the instant invention.

Claims 1-3, 5-6, 9-11, 13-21 and 23 are rejected under 35 U.S. C. 102(a) as being clearly anticipated by EP 1078929. This reference generically discloses among other things stabilizer mixtures containing at least two sterically hindered amine compounds one of which is not covered by the definition of present component (I).



The working examples relate to mixtures containing only one sterically hindered amine compound.

Claims 1-2, 5-7 and 9-23 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by NL 1018187. This reference is not a reference under 102(a) since it was published on December 3, 2001 which is after the filing date of the present application, July 5, 2001.

Claims 1, 15-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US4965301. The disclosure of this reference does not suggest any synergism of two sterically hindered amine compounds in the presence of a Zn or Mg compound. The enclosed declaration by Francois Gugumus, however shows unexpected synergism.

Claims 1, 15-16, 18-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US4929652. Since no synergism of the two sterically hindered amine compounds in the presence of a Zn or Mg compound is described, Applicant refers again to the enclosed Declaration for the showing of unobviousness of the inventive synergistic combination.

Claims 1-2, 4-7, 9-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US5919399. The patent also covers a mixture of two NOR compounds as component (I) in the instant invention. However, US '399 is not limited enough to suggest the specific present stabilizer mixtures. For a showing of non-obviousness, Applicant refers to Test II of the enclosed Declaration where a comparison between Ca stearate and Mg stearate is shown. The improvement in performance between Ca stearate and Mg stearate is not suggested or expected in light of the US '399 disclosure. Therefore, the instant claims are not anticipated by US '399.

Claims 1-6, 9-11, 13-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US 5980783. This reference discloses a mixture of one NOR compound and one non-NOR compound but again this reference is not limited enough to suggest the present restricted stabilizer

mixtures. Furthermore, the Applicant refers Examiner again to the enclosed Declaration for the showing of unobviousness of the inventive synergistic combination.

Claims 1-7, 9-11, 13-19, 22 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US6013703. US '703 claims a stabilizer combination comprising zinc compound in combination with at least one hindered amine. No synergistic mixtures are suggested or exemplified. Submitted Declaration shows unexpected synergism not anticipated by US '703.

Claims 1-2, 4-6, 9-11, 13-21 and 23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US6020406. This US patent requires combinations of Si-containing compound of present component (I). With most recent amendments, a Si-containing compound of present component (I) is no longer covered under the instant invention.

In summary :

- The present amendments have eliminated overlap between the present claims and the cited references and thus overcome the anticipation rejection under 102(b) for the following patents.
GB 2,354,245
GB 2,316,410
GB 2,316,409
US 6,020,406
EP 0,728,806
EP 1,078,929
- Reference NL 1,018,187 cited by the Examiner is not a reference under 102(a).
- References cited by the Examiner that do not disclose or suggest combinations of hindered amines. Where all elements are not present, there is no anticipation. Nor would it be obvious to combine the particular combinations claimed in the instant invention and achieve the unexpected results shown in the Declaration.
GB 2,293,827
US 4,965,301
US 4,929,652
US 6,013,703

US 4,965,301

US 4,929,652

US 6,013,703

- References which show synergistic mixtures of hindered amines but which do not disclose or suggest the particular combination of the instant invention. Nor would it be obvious to combine the particular combination of the instant invention and achieve the unexpected results shown in the Declaration. In particular, Test II of the enclosed Declaration shows especially surprising results illustrating the synergism of combination of B-1-a-1 and B-7-a-1 with Mg stearate.

US 5,919,399

US 5,980,783

Reconsideration is requested in light of the amendment, enclosed Declaration and the remarks above.

Since there are no other grounds of objection or rejection, passage of this application to issue with claims 6-26 is earnestly solicited.

Applicants submit that the present application is in condition for allowance. In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



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Enclosure: 132 Declaration, petition for one month extension